

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-61696-CIV-SINGHAL

STARBOARD YACHT GROUP, LLC,
a Florida Limited Liability Company,

Plaintiff, Counter-Defendant

v.

M/V OCTOPUSSY, a 1988 Heesen built
143-ft Motor yacht, Registry No. JMP15060
her engines, tackle, boats, gear,
appurtenances, etc., *in rem*, and CONTESSA
MARINE RESEARCH LLC, a Delaware
Limited Liability company, *in personam*,

Defendants/Counter-Plaintiffs,

v.

CHARLES JAKE STRATMANN, individually,

Counter-Defendant.

ORDER

THIS CAUSE is before the Court upon Defendants Octopussy and Contessa's ("Defendants") Motion to Dismiss SYG's In Rem Claim for Failure to Post Counter Security and for Release of Security (DE [67]). In that Motion, Defendants informed the Court that Plaintiff Starboard Yacht Group, LLC ("SYG") has failed to comply with the Court's March 21, 2024 Order requiring SYG to post \$400,000 countersecurity by April 22, 2024. On April 30, 2024, in a response to an Order to Show Cause, SYG explained that it needs more time to secure the loan to post as countersecurity. The Court appreciates SYG's delays in securing a loan for the countersecurity, but it is incumbent upon the parties to promptly inform the Court of these delays instead of making its own assumptions about Court-imposed timelines. Accordingly, it is hereby

ORDERED AND ADJUDGED that Defendants Motion to Dismiss (DE [67]) is **DENIED**. SYG has **thirty-five (35) days from entry of this order**, to post the counter-security. If SYG continues to face delays with securing the loan, it is to file a status report with the Court informing the Court of these delays before its countersecurity is due. *Failure to comply with this order may result in a dismissal SYG's in rem claim against M/V Octopussy without prejudice.*

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 2nd day of May 2024.



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE

Copies furnished counsel via CM/ECF